



Letters to the Editor

Written by Alameda Sun Published: FRIDAY, 27 SEPTEMBER 2013 02:07

Anchor-out will resist

Editor:

They are finally going to remove some of the wrecks and clean up the estuary. All for it. They are also targeting the unregistered boats in marinas, just not all of them. Why is that? Oh, some still pay the sneak-a-board rents and aren't a problem. Then there are legitimate anchor-outs (boaters who live on working boats.)

The California State Lands Commission signed and delivered the notices of trespass. The commission's lawyer Peter Pelkofer told me that the Alameda County Sheriff's Department will arrest us and forcibly remove us from our boats.

The commission will then declare our boats abandoned and remove them. According to Pelkofer this is a tactic the commission has successfully used before. Pelkofer was very careful to point out that the state would bill us for the cost of removal, storage and administrative fees.

Yes there are marginal people in our community. Poor people with extremely limited resources, people addicted to legal and illegal drugs, thieves and scrap collectors, hermits and fearful people. I believe I have a right to live on the water. I hate bullies and I will resist.

— **Michael West**

Warriors bid to move to S.F. gets lift from Brown

John Coté

Updated 8:14 am, Saturday, September 28, 2013

Gov. Jerry Brown, a former mayor of Oakland, gave the Golden State Warriors a little boost on Friday in their effort to leave his old stomping grounds for a gleaming new waterfront arena across San Francisco Bay.

Brown signed a bill by Assemblyman Phil Ting, D-San Francisco, that clarifies the approvals process in the Warrior's effort to build a new arena complex on Piers 30-32 and an adjacent plot of land with postcard views of the Bay Bridge.

Brown's signature on AB1273 wasn't accompanied by a statement giving insight into his decision, but the move was welcomed by the team as it tries to put together a deal with San Francisco Mayor Ed Lee. The project is expected to top \$1 billion and is stacked with engineering and logistical hurdles, including traffic.

'Not a small task'

Jennifer Matz, Lee's waterfront development director, said the new law shows state support to "revitalize an aging pier and turn it into a world-class amenity."

"Momentum is on our side, but now we have to get down to the business of completing a waterfront pavilion by 2017," said Nathan Ballard, a team spokesman. "It's not a small task."

The Warriors' lease in Oakland expires after the 2016-17 NBA season. Opponents of the San Francisco proposal, including former Mayor Art Agnos, said the final version of the bill had been so weakened it was acceptable.

"Frankly, the bill was emasculated in the Senate," said Agnos, who contends the basketball arena is a Trojan horse for a mega-real-estate deal. "We're OK with it now."

The legislation clarifies the approval process by giving the State Lands Commission, a three-person body chaired by Lt. Gov. and former San Francisco Mayor Gavin Newsom, the final say on whether the project complies with the public trust doctrine governing waterfront development.

That doctrine holds that the public has a right to use the state's waterways for commerce, boating and water-oriented activities.

Under Ting's legislation, the Warriors' project, which includes a 125-foot-high arena, a hotel, condominium towers, retail, parking garages and terraced plazas, would comply with the public trust doctrine if it met certain conditions.

Public walkway

Those conditions include elements to attract people to the bay, like a public walkway around the exterior of the arena and a large window allowing people to look in and out of the venue. The project also must have "a significant and appropriate maritime program," like a new fireboat station, water taxi and ferry docks, and a backup berth for large ships.

Opponents, including neighbors and environmentalists, had criticized the initial legislation as an end run around the Bay Conservation and Development Commission, which regulates waterfront development.

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New laws have cleaned up air at Port of Oakland

Stephanie M. Lee

Updated 11:37 pm, Friday, September 20, 2013

From the ships that glide into harbor to the trucks that rumble in and out carrying goods, the Port of Oakland is a place known for noise, motion - and air pollution.

The port is one of the nation's busiest, and the vessels, vehicles and other machines that operate there are infamous for spewing noxious emissions that endanger the health of thousands of residents in nearby West Oakland. Studies have linked pollution from the port to asthma and other respiratory ailments.

But these days, the air along the port's 19-mile waterfront is a little purer, the result of local and state programs and laws in recent years intended to make ships, trucks and other equipment run in cleaner, more efficient ways. Port officials and outside experts say the improvements have been significant.

Data released this week show that from 2005 to 2012 the port's diesel particulate matter emissions, which are linked to respiratory problems, have tumbled 70 percent, from 261 tons to 77 tons.

That isn't far from the port's ultimate goal of shaving those emissions by 85 percent by 2020. Other pollutants have also markedly dropped.

"We're very pleased at the progress we've made," said Richard Sinkoff, the port's director of environmental programs and planning.

As the fifth-busiest container port in the United States, ships arrive at the Port of Oakland more than 1,800 times a year. In 2012, \$14 billion in goods were exported from there.

The human cost

But the economic benefits of a busy port and its transportation system come with a human cost. Historically, residents who live near the port, its rail yards and nearby freeways breathed air with three times more diesel particles than Bay Area residents in general. They were at increased risk of cancer and asthma, according to 2008 studies by Alameda County and the state Air Resources Board.

Those findings prompted the port to team up with air regulators, businesses, environmental experts and community groups to try to improve conditions. At the same time, new laws forced cleaner maritime practices.

Oceangoing vessels have undergone some of the biggest changes. From 2005 to 2012, their diesel emissions dropped 72 percent, and sulfur-dioxide emissions, which can exacerbate asthma, fell 80 percent, according to port officials.

That happened in part because of a state law that, beginning in July 2009, required vessels to use low-sulfur fuel within 24 miles of the California coast. Typically, they burned heavy fuel oil, which emits high levels of sulfur oxides, particulate matter and heavy metals.

'Region-wide benefits'

A study released last month also found that after the law took effect, ambient concentrations of particulate matter dropped about 3 percent from Livermore to San Jose.

"We saw region-wide benefits," said Robert Harley, a professor of civil and environmental engineering at UC Berkeley and a co-author of the study.

"It's not a huge reduction," noted another co-author, David Fairley, a statistician at the Bay Area Air Quality Management District. But "it's helpful."

Smooth sailing, shippers say

The Pacific Merchant Shipping Association, an industry group that unsuccessfully challenged the law in court, said compliance was going smoothly despite the higher cost of the new fuel.

In another change, some ships can now plug into new electrical outlets when they dock to keep lights and systems running, instead of idling on diesel fuel. Under state law, by 2014, half of containership, passenger ship and refrigerated cargo-ship fleets must use local power while docked. By 2020, 80 percent must do so.

Building infrastructure for shoreside power has so far cost upward of \$65 million in public funds, and some shipping companies, such as American President Lines, have poured additional money into the effort.

Trucks that carry goods in and out of the port have also undergone environmental upgrades. Since 2009, the port and state, local and

federal agencies have helped retrofit more than 1,300 trucks with diesel soot filters and replaced more than 200 old trucks at a cost of upward of \$22 million, not including investments from trucking companies. The program, which in part used money from the voter-approved Proposition 1B, was developed to meet a state law that required trucks to reduce diesel emissions.

As a result, diesel emissions from trucks at the port have fallen 88 percent since 2005, according to figures released this week. Nitrogen oxides, which are a trigger for asthma, have gone down 60 percent.

"While we have to celebrate the progress, we still have a lot of a hard work to do," said Diane Bailey, a senior scientist at the Natural Resources Defense Council in San Francisco, who noted that some old trucks are still on the road.

Other, smaller changes at the port have also made a difference. Equipment that moves containers inside a terminal, for example, has slowly been replaced with newer machines or upgraded with diesel particulate filters.

Fresher air

Laws that haven't taken effect yet may bring even cleaner air. In 2015, California's low-sulfur fuel requirements will be superseded by similar restrictions imposed by the federal government, extending 200 nautical miles offshore.

It's too early to say definitively whether all these efforts will pay off in fewer health problems for residents. But Brian Beveridge, who has lived for 14 years in West Oakland, said the air seems fresher than usual.

'Still work to do'

"The trucking fleets have been cleaned up significantly, just to the casual observer," said Beveridge, 61, co-director of the West Oakland Environmental Indicators Project. "And I think we see at this point we're beginning to see fewer ships at the dock blowing out big bouts of black smoke."

Still, he said, air from the port blends with air from the freeways and rail yards - and at times, it leaves the flavor of plastic, burnt rubber and chemicals on his tongue.

"You can still taste the air over here in West Oakland," he said. "There's still work to do."

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Barnidge: Only certainty about Plan Bay Area is that opponents hate it

By Tom Barnidge Contra Costa Times Columnist Contra Costa Times

Posted:

ContraCostaTimes.com

Death and taxes are said to be the only certainties in this world, but outrage over Plan Bay Area probably should be added to the list.

The regional growth and transportation plan was approved two months ago by the Metropolitan Transportation Commission and the Association of Bay Area Governments, but it remains under siege, as evidenced at a town hall meeting in Lafayette last week. The gathering was organized by the grass-roots organization Lafayette First, but the featured speaker was a seasoned warrior. Larkspur resident Peter Singleton is the founder of Bay Area Citizens, which recently filed suit against the plan.

He contends that the professed ambitions of Plan Bay Area -- smart residential development near mass transit, reduced greenhouse gas emissions and curtailed urban sprawl -- masks a plot to force residents from their single-family homes, take away their cars and inundate communities with look-alike, high-density housing.

It sounded like George Orwell's "1984," with regional authorities in the Big Brother role. His presentation captivated a crowd of about 150 who seemed eager to believe, thanks in part to his artful ability to massage facts.

For instance? The perpetrators of Plan Bay Area were described as unelected, unaccountable bureaucrats, unknown to the communities they harmed.

Contra Costa's unknown MTC representative is Orinda Mayor Amy Worth, who's been elected four times to that community's City Council and was elected to her MTC post by the county Mayors Conference, which has representatives from every city. The county's unknown ABAG representative is Clayton Mayor Julie Pierce, who's held public office for 21 years. The Mayors Conference also elected her. If a guy wanted to pick nits, he might say the unelected representatives actually were elected twice.

Listeners were told that communities failing to zone for projected housing needs could be denied transportation funds, with the implication that bureaucrats were to blame. Actually, Contra Costa voters tied transportation funds to residential planning needs when they overwhelmingly approved Measure J in 2004. It says street maintenance funds are contingent on complying with the county's Growth Management Program.

The audience also heard about the perils of low-income housing, exemplified by the new Lafayette Senior Apartments. Singleton said the project is expensive and heavily subsidized, which may be true. However, it has no connection to Plan Bay Area. If the purpose of that story was to sow seeds of confusion, it was ideal.

Singleton said that 80 percent of new housing units in the next 25 years will be high-density, multifamily units near mass transit. What he didn't say is that if they are built -- a big if -- the overwhelming majority will be concentrated in San Francisco, Oakland, San Jose and inner-bay communities where high density

is a way of life.

He said higher housing allocations are imposed on cities with a high quality of life, such as Lafayette. Housing allocations parallel expected population growth sites, near transit hubs with BART stations and highway access -- yes, like Lafayette -- and they mean only that planning must be in place, not that residences be built. No shovel can go into the dirt without approval of the local planning commission.

Will Plan Bay Area be good for the region? No one really knows for sure.

The only certainty is that opponents will demonize it. Cooler heads can decide if the sky is really falling.

Contact Tom Barnidge at tbarnidge@bayareanewsgroup.com.

From: David Lewis <dlewis@savesfbay.org>
Date: Monday, September 23, 2013 12:37 PM
To: Joe LaClair <joel@bcdca.gov>
Subject: Joe - ICYMI

Don't know the writer, but he certainly captured some of the history of the city inviting legal trouble (and losing) by courting developments that violate its own rules, and cutting corners on approvals. He didn't even mention [Peninsula Park](#) and the flawed [Downtown Plan](#), challenged by Carcione.

Redwood City wrong to let developers flout rules

Richard White
CHRONICLE

OPEN FORUM – SAN FRANCISCO

September 23, 2013

<http://www.sfgate.com/opinion/openforum/article/Redwood-City-wrong-to-let-developers-flout-rules-4834157.php>



Development is planned at the meeting of land and the bay. Photo: Mike Kepka, The Chronicle

We have trouble, right here in Redwood City. This is not "Music Man" wayward-youth trouble. It is City Council, City [Planning Commission](#) and City [Planning Department](#) trouble. Our trouble

could potentially affect the whole Bay Area.

The trouble comes in various sizes, but it all involves a refusal of Redwood City to play by its own rules and implement its own codes and General Plan. What the city is doing - and citizens, courts and state commissions are attempting to stop - is ripping up the environmental and social fabric of an important part of the Bay Area piece by piece.

We can start small. There are sites within Redwood City that don't meet building requirements because of slope, proximity to waterways, environmental conditions and lot sizes. Citizens regard them as environmental amenities and necessary wildlife corridors; the city seems to view them as wasted space.

These lands cannot be developed under normal procedures, so the Planning Department reverts to a special "planned development" process. It is a kind of get-out-of-jail-free card.

Judge [Marie Weiner](#) has tentatively found that the City Council violated its own municipal code on the Finger Avenue project on Cordilleras Creek. Will the City Council learn from this?

Probably not.

The council will meet Monday to give final approval to a development on steep hillsides on Laurel Way. The Laurel Way Joint Venture has proposed to build 16 large homes on small steeply sloped lots. The council is ready to waive rules that have prevented the development of these lots for years.

There seems to be a pattern here, and it is not confined to small developments. The council approved a new development for Pete's Harbor, but it turned out that the state, not the city, has jurisdiction over the outer harbor included in the development. You would think this was the kind of thing planning commissions and departments would notice. The [State Lands Commission](#) slapped that one down. The litigation and the expense of hiring consultants are piling up.

Redwood City planners and politicians seem oblivious to the consequences. The largest of the developments - Cargill's Saltworks - will have consequences far beyond Redwood City. The

original Saltworks plan involved as many as 12,000 homes, offices, shops and schools but was derailed in a controversy that featured conflict-of-interest charges against a city councilperson. Faced with local opposition, this plan was pulled, but it is coming back. The state decided long ago to stop filling San Francisco Bay. The Saltworks are tidelands, once very biologically productive. With climate change, rising ocean levels, and the increase in lethal storms, building on the tidelands is expensive and reckless, not only in the medium term but also in the long run. In the short run, there is money to be made.

Cargill wants to make money, but it is not Redwood City's job to help them. Cargill will try to grandfather the Saltworks development to avoid the ban on filling in more of the bay. The [Redwood City Council](#) seems eager to help them.

It is hard to imagine a more environmentally dangerous and costly development on the bay than the Saltworks, but it is of a kind with the smaller developments in Redwood City. To focus only on Saltworks and not the smaller developments on Laurel Way, Pete's Harbor and Cordilleras Creek is to miss the core problem:

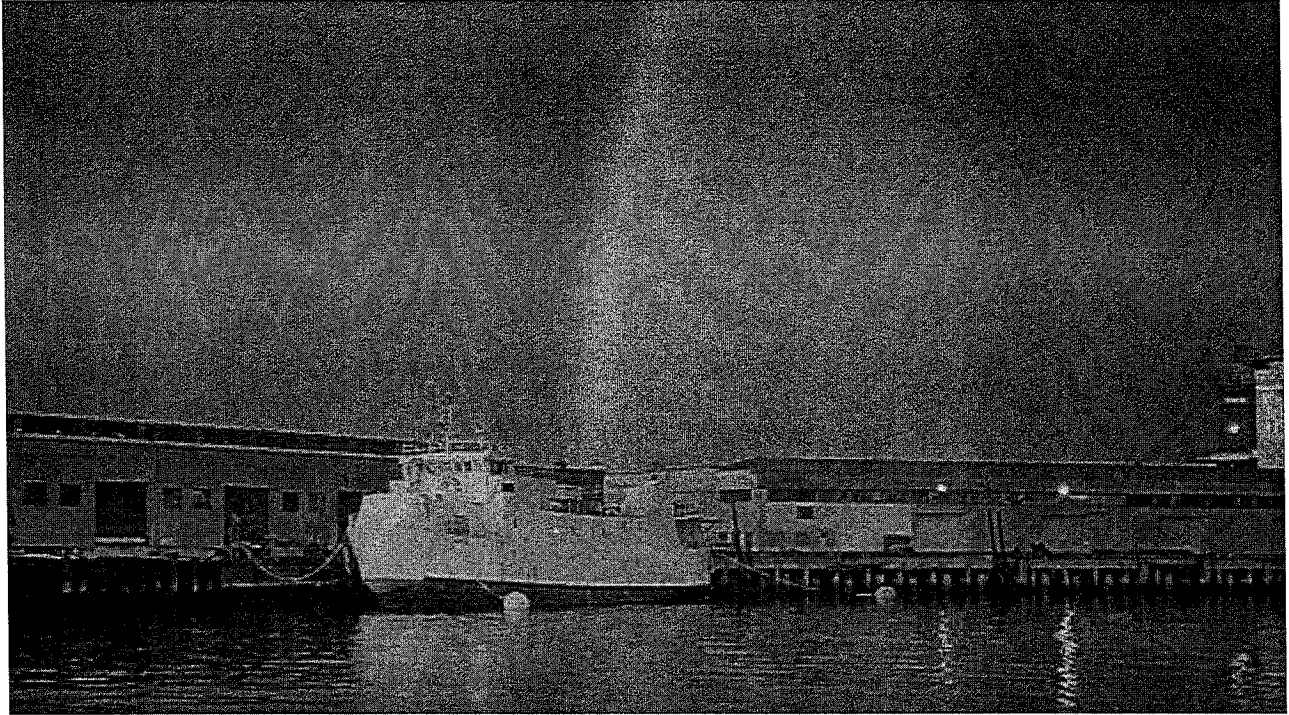
Redwood City does have rules and policies for dealing with this kind of development; it has a perfectly respectable ordinances and new General Plan.

Yet Redwood City ignores them to chase developers' dollars. We have trouble, right here in Redwood City.

[Richard White](#) is a professor of history at [Stanford University](#). He lives in Redwood City.

In San Francisco, startups hatch ideas in a floating incubator

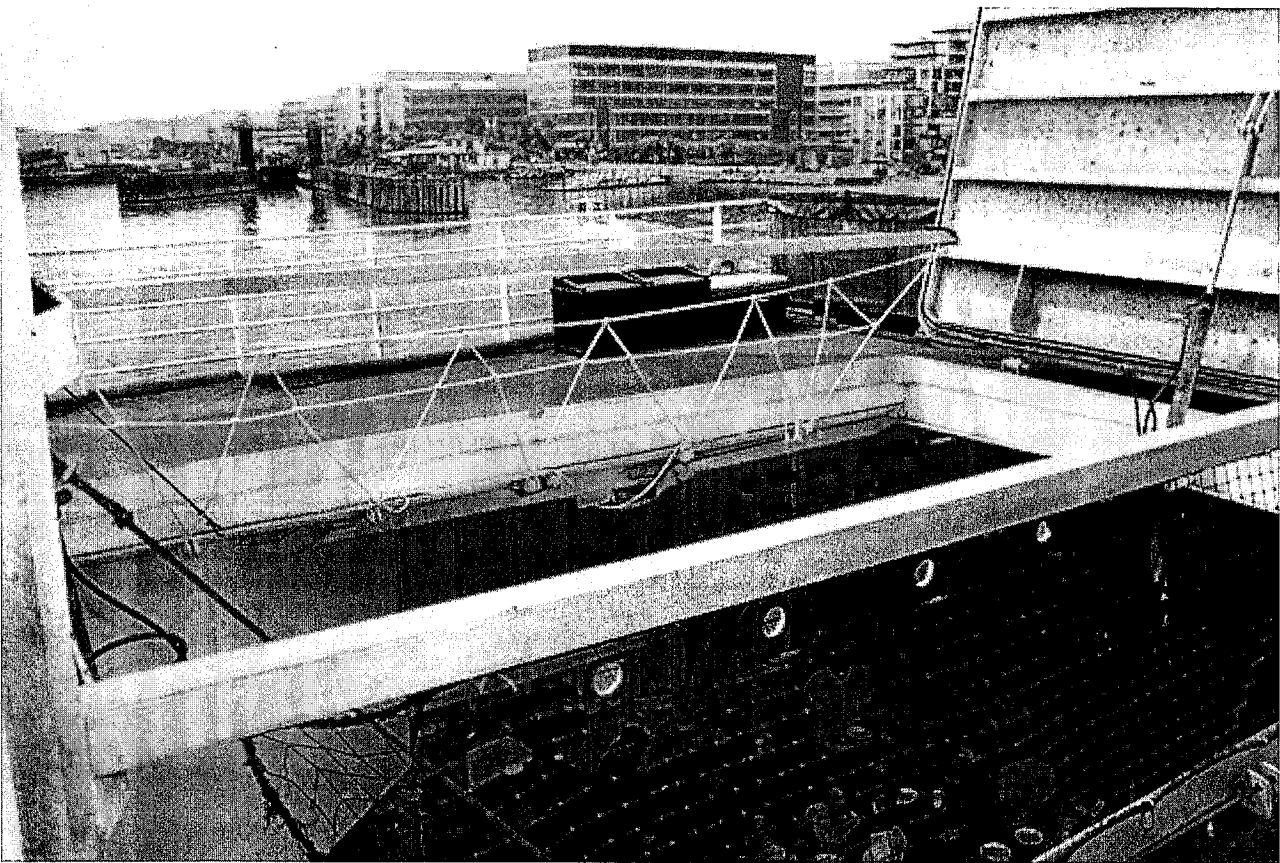
By Mary Catherine O'Connor | September 12, 2013, 1:34 AM PDT



On a warm, sunny Sunday morning in August, some of the brightest minds in the Bay Area milled around a 38-year-old car ferry docked south of the San Francisco Giants' ball park. Eating muffins and drinking mimosas, they watched short presentations on topics ranging from artificial intelligence to techno-archeology to 3D gesture control.

This "Innovation Sampler," was part coming out party, part real estate open house for the Maritol (nicknamed The Icebreaker). The vessel is co-owned by Creon Levit, a senior research scientist at NASA's Ames Research Center, and a group of buddies-slash-angel investors-slash-entrepreneurs-slash-philanthropists. They purchased the boat in 2011 from architect Olle Lundberg, who brought the ship over from Iceland, where it formerly schlepped cargo, people and cars around the icy Norwegian Sea. Lundberg subsequently converted the Maritol into a very unusual houseboat. Initially, the new owners planned to use it as a live-work space, but as they learned, this would not jive with the rules and regulations of the San Francisco Port Authority,

"So we pivoted," Levit explains. "It's not a great space for people to live in, but it has a lot of beautiful spaces for meeting and working. It turns out to be one of the most desirable and interesting [working] spaces in San Francisco. It works well for people who want something a little different — and people who want to bring their investors and customers to an interesting space. It's not your average incubator."



An open hatch during the Innovation Sampler

Matterport, which makes 3D models of physical spaces, is among the many startups that have toiled, collaborated and experimented on the Maritol. In fact, the company honed its technology in part by scanning and then 3D-mapping the ship's very intricate engine room. During the Innovation Sampler, Matterport demonstrated its product, allowing guests to don virtual-reality goggles to "walk through" the classrooms of a school. As I awaited my turn to step into the virtual space, I realized futurist, writer and Stanford professor Paul Saffo was finishing his visit. "I've tried a lot of those face-suckers," he says, referring to the virtual-reality mask, "But this is the best I've seen."

Back in *real* reality, the developers of a Kickstarter success story called OpenROV, an open-sourced underwater robot, used the Maritol and the waters surrounding it as a test bed. The startup has since gone on to use OpenROV to help scientists collect underwater images around Antarctica and in the South Pacific.

Not all of the products and services developed at the incubator are quite so edgy: some are just good business ideas. What We Order is an e-commerce software that catalogs supply orders made by employees and then makes reorders quick and easy for anyone in the company. It links directly into accounting systems through enterprise resource planning (ERP) software.

"We were one of the What We Order alpha testers," Creon says. "We constantly order stuff from Costco, Amazon, Granger, McMaster-Carr and places that sell ship supplies. We can click, click, approve and there is no screwing around with different vendors."

The August gathering was not just a way to show off the talent and network of innovators that utilize the Icebreaker, it was also an event meant to help the incubator find a new berth. That's because the Port of San Francisco has told Levit that the Maritol is not in compliance and therefore must leave the port, post haste.

“We’re really grateful that we’ve been able to be there for two years, and we hope we can work it out, in order to remain for years to come,” Levit says. He and his partners are meeting with city officials and searching for an alternative berth. “The best option is to berth the ship somewhere else in SF,” he says.

The mayor’s office is trying to develop an innovation corridor, with startup-friendly developments, and Levit and his partners say they fit that vision. But if he and his partners can’t find a new home in San Francisco, they’ll consider the East Bay or another West Coast harbor city.

The crew is also hoping the long roster of Maritol’s friends and supporters might help them find a creative solution to their predicament. Those friends present at the Innovation Sampler included technology pioneers, such as Brad Templeton, who founded the first-ever dot-com company, Dan Kaminsky, an Internet security expert, and Brewster Kahle, who founded the Internet Archive.

“You can’t have innovation if you don’t have the free exchange of ideas -- and a place to do that in,” says Brendan Curran, an engineer at San Francisco-based healthcare software startup Blueprint Health in attendance at the recent event. “If places like this don’t exist in San Francisco, then innovation can’t exist in San Francisco.”

(Photos by Tyson Macdonald (top) and Brad Kohlenberg)

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